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Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
Fosamax Products Liability Litigation :
------x

v. Merck & Co., Inc.

Case No: 1: 08-cv-03207-JFK : **Rule 7.1 Statement**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that

it has no parent companies and are not aware of any beneficial owner of more than ten

percent of its Common Stock.

Dated: New York, New York May 1, 2008

Respectfully submitted,

HUGHES HUBBARD & REED LLP

1:06-md-1789 (JFK)

By: /s/

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